

**Wildland Fuels Committee  
December 13, 2007  
9 a.m. to 5:15 p.m.**

**Location: Lake Tahoe Community College  
1 College Drive, Board Room  
South Lake Tahoe, California**

## **MEETING MINUTES**

### **CALL TO ORDER**

**Chairman Pena called the meeting to order at 9 a.m.**

### **ROLL CALL AND INTRODUCTION OF MEMBERS**

Members present:

John Upton, Pete Anderson, Chairman Pena, Kathy Murphy, Norb Szczurek, Jim Santini, Dennis Crab, Mike Brown, Allen Biaggi

Review and approval of minutes – a motion was made to approve the minutes and seconded. Dennis Crab abstained as he did not attend that meeting.

Review agenda including adjournment time – Mr. Pena - with all the agenda items, the meeting will adjourn around 4:30 and 5 p.m. today. The meeting will start today with presentations from the invited working groups listed on the agenda. Mr. Pena went over the rest of the agenda. There were no questions. Mr. Pena brought up the draft findings and recommendations regarding the Ten-year Multi-Jurisdictional Strategy. The document will be revisited later today for editing then brought before the full commission tomorrow.

### **Presentation from invited groups:**

- a) Permitting Improvement Working Group – Lauri Kemper, Bill Holmes, Harold Singer and Mary Huggins are members. Ms. Kemper went over two handouts (WFC -013 and WFC-014). WFC-013 included background and six recommendations for the committee.

**Finding No. 1 – Committee questions and comments:** Ms. Horne – why was TRPA included? Ms. Kemper – they are involved and have a commitment. They are not in the lead. They have staff and are able to produce materials with a single message to the property owner. Ms. Horne – could the recommendation be reworded on who is the lead? Ms. Kemper – yes. We want people to contact the fire agencies. Ms. Horne – modify Cal-Fire's role.

**Finding No. 2 - Committee questions and comments:** Mr. Pena – what are the steps to allow the public to adopt the waiver? Do you just need to apply to TRPA? Ms. Kemper – yes. Ms. Huggins Huggins/Cal-Fire discussed their role. John – the action would be to find a legislative sponsor? Ms. Huggins – yes.

**Finding No. 3 - Committee questions and comments:** Ms. Murphy – were the CTC or Forest Service included in the discussions with this specific

recommendation? Ms. Kemper – no. The intention is to meet with CTC and State Parks next.

**Finding No. 4 - Committee questions and comments:** We are not recommending a change. Mr. Pena - the agencies need to get together and be more specific in what you will do to reduce the redundancies. Ms. Kemper – we don't get a lot of complaints, since it doesn't happen very often.

Mr. Pena – could there be unintended benefits for other areas (higher count)?

Any ways to improve on fuels treatments projects? Ms. Kemper – we will flesh out recommendation and benefits.

Ms. Horne – the upcoming workshop on sensitive slopes will be an opportunity for these kinds of concern to come to the surface. Ms. Kemper – at that workshop we will be going through case studies and how the agencies worked together. We will have more information after February workshop. Pete – define large acreage?

Ms. Kemper – more than three acres. Pete – does CEQA kick-in? Ms. Kemper –

yes. Ms. Huggins – in the case of Proposition 40, landowners did have to meet

CEQA. Cal-Fire harvesting documents are only triggered when commercial product is coming off. Pete – I'm just thinking on how to make this more

understandable to the landowner. Mr. Pickett – in the past this has not been

burdensome with few in number. We are seeking funding through SNPLMA

Round 9, while forty different landowners trying to schedule forty different

meetings with three different agencies. Are we ready to support that? It is a

critical bottleneck. Mr. Pena – goes back to my request to be fleshed out and

consider it a recommendation for the January meeting. Ms. Kemper went over

several maps (handout WFC-014). She wanted the commission to see why costs are higher on the California side than Nevada side.

**Finding No. 5 - Committee questions and comments:** Mr. Pena – TRPA has MOUs with State Parks, but Lahontan doesn't. Are you exploring that MOUs may have advantages? Ms. Kemper – may be covered already under the waiver. That issue is part of the case studies for the panel at the February workshop.

**Action item** from Mr. Pena: the Permitting Improvement Working Group will meet with those agencies (State Parks and Forest Service) to see about streamlining and report back those findings at the January or February meeting.

Ms. Huggins – reminder that this is a draft. We need to review the document.

Mr. Pena. – we would like to adopt recommendations 1-3 as they relate to the defensible space portion of the fuels treatment. The rest of recommendations will not be finalized until after meetings with other land management agencies. Ms.

Huggins – for Cal-Fire purposes, we want them to be draft. Mr. Pena. – we want

to tell the Commission tomorrow that we want to recommend the first three. The

committee may want to discuss consolidating and massaging the draft

recommendations. Ms. Huggins – certain sentences are legally misleading. Mr.

Pena. – please finalized for the January meeting the first three recommendations.

For the rest of the findings (4-6) have them ready for the February.

**Public Comment by Brett Storey from Placer County:**

On recommendation No. 3 - I have made the committee aware we passed an ordinance at 100 foot part that creeps into 100 foot loop, it is an issue abatement.

We are going to walk 30-40 lots. Our intent to have them treated. I was wondering where we would fall in this timber waiver? Ms. Kemper – it is covered by our timber waiver – the Forest Practice Rules and Timber Waiver. Mr. Singer – a quick clarification: What Placer County is looking at is still the Fire Marshall’s prescription, we would look at it as defensible space. Mr. Storey – emergency access, 10 feet out, 10 feet up? Ms. Kemper - already covered.

**b) Fuels Working Group:** Ms. Horne – we met with representatives from the Forest Service, Nevada Forestry, TRPA, Tahoe Conservancy, California State Parks and the Tahoe Science Consortium to plan a workshop. We want to bring together scientific expert opinion about differences of opinion whether it is a difference in policy or philosophy. The workshop is grounded in case studies. The first case study is to take the work in the Incline Village area. It will be a standard format of outcome vs. vision. How could things be done more effectively next time around. Experts on harvesting SEZs and stream slopes to develop a collaborative response. The panel wants to bring in four top scientists. One for soils, a hydrologist (bringing hydrological models) equipment harvesting expert and fire expert. The panel would submit a report. Mr. Pena. – the purpose of the fuels group is to put the workshop together and report findings to the Fire Commission? Since the workshop is the end of February, the report needs to come out in a timely fashion to the Fire Commission.

**c) Basin Air Quality Alliance (alliance):**

Mr. Pena – we asked the alliance to bring forward some suggestions that we could take to the commission as findings and recommendations. The alliance introduced themselves: Ann Hobbs, Mark Johnson, Jennifer Quashnick, Karen Magliano, Rick Adams and Marcella Taggart. Ms. Hobbs went over the recommendations in handout WFC – 011.

**1<sup>st</sup> recommendation – Committee questions and comments:**

Ms. Murphy – CARB calls the county? Ms. Hobbs – yes. The burner calls the county or CARB.

**2<sup>nd</sup> recommendation – Committee questions and comments:**

Mr. Pena. – elaborate on how these pieces of technology in concert would better inform for better burn days? Ms. Hobbs – milibar heights used in the basin adjusted on a monthly basis depending on the season. Tools here they talk about, may make less burn days. We really don’t know. RAWS stations have hand held radios, talk to the station with a radio and they will tell you the current weather. Ms. Horne – is this a funding proposal for extensive meteorological equipment for the basin? Ms. Quashnick went over handout WFC-012. Mr. Procter - on air quality for the FS – tools are best on marginal days. Pilot testing has done well. A lot of coordination needed. Can be effective. Ms. Magliano - PFIRS – still in a beta testing mode. Potential there to expand. Tracking system, know across the state, communication tool. Mr. Pena. - do burners submit in PFIRS? Ms. Hobbs – yes electronically. Air districts approve or not and map out. Mr. Pena. – how do these systems help the FS plan burns? Mr. Johnson – we have Smoke Management Plans that we submit. PFIRS is another tool for regulators

and burners. We will be at another level. Ms. Hobbs – blue sky model in use. May want to refine further, tie to a data base. Mr. Procter – tools are in transition and could use a nudge to be applied. Mr. Pena – what is a recommendation around this? Encouragement? Mr. Upton – what is the cost? Ms. Hobbs – we can get together a good guess. Norb – all this technology is great, taking ability from implementer to make on- the-ground decisions. I think all the technology may tell us it's a no-burn day. Mr. Brown – education needs to be added as a recommendation. Norb – a lot of those questions are answered before they put fire on the ground. In the burn plan for that area. Ms. Horne – what are larger scale investments that might shift the agencies calculations? This commission could help get in place. Mr. Pena. – we can delve into this later this afternoon more effectively. Ms. Quashnick – some burns have more smoke impact, we need to educate. Monitors are being installed by UCDavis. They use real-time data to calibrate the models. It is getting more and more accurate.

**Last recommendation – Committee questions and comments:**

Ms. Murphy – does CARB support this last recommendation? Ms. Mollinan – very open to it. Ms. Murphy – if the committee took this to the Commission would CARB and Placer County support it. No answers. Mr. Pena – any more work the alliance is going to do before we consider them for action? Ms. Hobbs – at this time these are the recommendations. Mr. Pena – the committee will take them and consider them from here.

**Action item:** Mr. Crab and Ms. Horne will work with the air alliance group to make a series of recommendations centered on the first three findings and report to the commission in January.

**Action item** Ms. Hains will send the findings and recommendations format to Ms. Kemper for the February meeting

Mr. Pena – will someone volunteer to take the rest of the recommendations and prepare a draft for this committee to consider? Ms. Murphy and Mr. Brown will work with the air group to do that. **Action item:** Come back to us with the proper format prior to the next meeting to act on it in January.

**Findings and Recommendations from the last meeting:**

Mr. Pena – I would like to finalize these (handout) for the Fire Commission meeting tomorrow:

Finding - The Ten-year Multi-Jurisdictional Strategy provides a method to prioritize and coordinate fuel treatment work across ownership boundaries in the Lake Tahoe Basin.

Mr. Upton – I'm hearing that on Round 9 the Fire Chiefs and the Forest Service (FS) are competing? This recommendation isn't clear how that is working.

Mr. Brown – the MAC group is all the stakeholders. They all meet throughout the year to identify priority projects. You will probably still see a separation. Chief Whitelaw – Federal requirements are different. The local jurisdictions and state agencies would like to find a way not to compete with the FS.

Mr. Singleton – the FS is absolutely a part of the multi-agency group. We have joint projects including the same prescription, same contractor. On the

competition, you have a 10-year strategy and a NEPA process. White Pine SNPLMA is working right now and competing to get the halos put in around the communities. Our partners at the FS need to get work down and we are competing with them for dollars. Unfortunate situation but it is the reality of the funding.

Mr. Pena. – the structure of the Multi-Jurisdictional Plan puts it in place and you have gone further with the MAC group, those two things together should reduce competition?

Mr. Pickett – east shore, Emerald Bay will get squeezed out. The focus has to be on the communities and the FS chunk.

Mr. Pena. – how do we establish a process for all the people that do fuels work to coordinate? Trying to focus on how to address it in a Findings and Recommendation to move forward?

Ms. Horne – the funding mechanism creates a disincentive for cooperation. Can we do another recommendation to address that?

Mr. Pena. – we can make that another finding.

Ms. Marceron – in the Multi-Jurisdictional Plan the congressionals wanted to know how much money was needed for everyone. We prepared the plan in 5-year increments. Acknowledging we needed tighter coordination, we met 2-3 times to work on Round 9 together. We did meet the intent of what the committee asked. We all agreed to package our projects separate. The Basin will take the packages in front of LTFAC and can recommend to the SNPLMA subgroup who will prioritize the projects. We will submit through LTRA depending on how we end up with White Pine. We have also met and the MAC group has identified products for Round 10 and beyond.

Mr. Anderson – in the bigger picture with congress, we must maintain a competitive environment. No matter how this shakes out, we still have to have a competitive piece or congress will look at SNPLMA and we will have problems down the road. Good to have separate submittals.

Mr. Pena – position the Basin to be more competitive for all sources of funding. Looking forward, as long as we work to prioritize, I believe it will make us competitive.

Mr. Pena. – other feedback on the Finding and Recommendations on the Multi-Jurisdiction Plan?

Mr. Anderson made a motion to adopt, Ms. Murphy 2<sup>nd</sup>, motion carried.

### **Findings and Recommendations about funding:**

Ms. Hobbs – there is a competitive nature that many of the grant programs create. Creating additional points from additional incentives and efficiencies. What are the guiding principles on fuels projects? Round 9 has less money, it gets tough. What priorities should be from this group?

Mr. Pickett – FS has two priorities, including resources they are protecting, same as NDF and State Parks.

Mr. Pena – the Commission will endorse the WUI over everything else. I'm concerned about the Commission setting up a recommendation to direct a

community to do something they are not willing to do themselves. The funding finding acknowledges an attribute of competitive grant funding.

Mr. Biaggi – you are not going to change the structure of the funding? We can make ourselves more competitive.

Ms. Horne – if they (the Commission) have an unintended consequence, they would want to know. I don't see a problem with daylighting the problem.

Mr. Pena. – the 10-year strategy is strategic, nothing says we can't prioritize. All the projects going through are basically WUI. The priority areas will get treated. Those 17 agencies feel comfortable with their top priorities. As you complete projects, the priorities will change. The plan addresses 68,000 acres in ten years. We need to focus on what we can do in the Basin instead of how to change the funding criteria. This finding and recommendation will come out in draft for the next meeting.

### **Fuels Uses and Disposal (biomass):**

- Group members:
  - Mark Johnson, CEO Golden Sierra Power
  - Bruce Goines – licensed professional forester working with the FS
  - Terri Marceron backup for Bruce Goines
  - Christie Dougherty – Cal-Fire, working with TRPA

Mr. Pena – the group was asked to increase the committee's understanding of our options to get rid of the fuels and answer our questions on costs.

Mr. Goines – we are talking about cost constraints, money per acre, because of lack of road access and the terrain – currently producing only 24 bone dry tons per year. Basically the Basin has costly biomass. You have priced yourself out of the market. Options of heat and electricity are too costly with the current system. Much more cost effective competition. A small scale is only possible here.

Mr. Johnson – we saw an opportunity here. The biggest issue is transportation of the product. We need to set up a site to sell the power. Mr. Johnson talked about his product from the handouts WFC-015, WFC-016. We are looking for a guarantee of fuels for ten years to go to our investors to get things going.

Mr. Pena – what is the tonnage demand?

Mr. Johnson – forty tons per day (2 full trucks per day per unit).

Mr. Pena – we need someone to set up the cost factors for biomass.

Ms. Horne – why are we using the Basin as a test? It is not proven in a community like ours.

Mr. Goines – the basin is unique, that is why.

Ms. Horne – I don't think we are looking for something that pays for itself. But we do need to subsidize but by how much?

Mr. Goines – the numbers are out there as recently as two years ago and we know what the market pays.

Mr. Storey (Placer County) – we are proposing rebuilding a facility in the Burnt Creek area. Consultants are looking at the right technology and materials available now, 5-20 years from now with the FS 10-year plan. We can power one megawatt of heat in that facility for the north end and outside the Basin. We will have a recommendation for what type of technology best fits all the rules and

regulations. The process is a \$10M number; I have \$7M of that. There is an economic viability; it is the right thing for the community, less pollution, healthy citizens, and lower insurance rates.

Mr. Pena – question to the panel, with the capacity around the basin why aren't we using it?

Mr. Johnson – we are trying to bring in private industry. We can get things done better than agencies. We take the politics out of it.

Ms. Marceron - the Multi-Jurisdiction plan discusses biomass. On typography over 30%, we mostly hand thin and pile burn. Below 30% has potential. We can't build roads, must look at existing. We need to look at burning cost vs.

transportation cost. We need to look at sustainability for a plant in the long term.

The contractor tested biomass and in most cases he breaks even. Bringing back whole-tree yarding will allow us to utilize biomass by bringing the whole tree out to special landings. On mechanical unit contracts that encourage or require biomass, we received no bids or they were way too high. We have awarded the first biomass contract on the west shore; the contractor may not be able to complete the project. We haven't broken into the viability of the market.

Ms. Horne – to Mr. Storey – can we have biomass without FS lands? Mr. Storey – yes. To Ms. Marceron – have you analyzed if the FS could use a stewardship management approach?

Ms. Marceron – ten years out is a lot of analysis. No exact answer of feasibility.

Mr. Pena – one measure of our goal is to treat 68,000 acres in the basin and reduce smoke emissions. Imperative to get those acres treated without just burning. What I heard, we have a number of sources of fuel, no consolidated process, and we have this need. FS said they are getting biomass treatments. How far is that getting us toward our goal (68,000 acres)? Who can provide us that information back to get recommendations and findings?

Mr. Johnson– the number of processable acres is dwindling. If you want to attract private industry you have to make it viable, easy to sell. Brett is working for the government; he got shut down by congress this year. The large energy companies are not sitting here today. Need to attract people to get the job done. Look at policy changes.

Mr. Upton – what is the likelihood of getting money to treat all the acres? It comes down to creating a stable, long-term program.

Mr. Brown - there is a lot of new technology; it is amazing what can be done with new machines.

Mr. Pena. – not all of the equipment is new, been around. The uncertainty is operating in a public environment with a huge investment. With our regulations, what is the mechanism that allows them to operate now? Good to know the options. How are we going to get where we need to be?

**Action item:** Mr. Crab, Mr. Upton and Ms. Marceron will put together a report for the committee for January

Mr. Johnson – sounds like you are looking at changing policies in the basin.

Ms. Horne – complexity of operating in basin is not just our process. We have short season, other factors at play beside agency policy. Speaking for Lahontan,

we cannot change policies without scientific evidence. The agency is open to lawsuits without evidence.

### **SEZ presentation**

Mr. Singer – we have no presentation but will answer questions.

Mr. Pena – there were operational questions that were raised in the first two meetings; we need to tease out findings and recommendations.

Ms. Kemper – based on the previous requests for information our staff is putting together information that could be compiled for the next meeting. We can get those emailed early next week. FS is doing a risk assessment on SEZs that can be released to the Commission. We envision that the FS information will help us do a flow chart that everyone can use.

Mr. Pena – we need to be clearer on the assignment for the next meeting.

Ms. Kemper – the way to get at this is agreeing on the approach for the mapping exercise.

Ms. Horne – we heard two numbers of SEZs for Heavenly. Please clarify.

Ms. Kemper – Sue Norman from the FS delineated the SEZ, 23 acres.

Mr. Santini – I need to understand what is the risk in terms of wildfires represented by the SEZs?

Ms. Dougherty – in the past we were not able to remove any green tree removal. A lot of those areas are dense with lodge pole pine (highly flammable), bark beetle die off – runs into residential communities and acts as a wick. We are really behind on treatment of SEZs because of limitations of the past.

Jim Santini – will it require a change in regulations to get the job done?

Ms. Kemper – current TRPA and Lahontan rules have exemption criteria. The south shore project is a good example of making this work.

Mr. Brown – from the fire standpoint we need to get in there and get them done.

Mr. Pena – Ms. Kemper will get the information to us. At the next meeting we will be more exacting about what issues we need to know about. Make findings and recommendations or move on.

Mr. Pena – we need to eliminate the redundancy, two sets of rules.

Ms. Horne – I would propose we continue this at our next meeting.

### **Operation Constraints**

Mr. Pena – we prioritized this topic at our last meeting. I am not clear how this relates differently to other issues we have addressed. Permitting issues, air quality etc. Do committee members want to talk about this and try to get at the issue?

Mr. Anderson – I think we have touched on them already through permitting.

Mr. Pena – is one of the constraints the fact that we in the Basin? The social/political climate here, is it the unique nature of Lake Tahoe? Are we willing to make the tradeoffs and articulate the balance?

Mr. Upton – for a fair amount of time people were in denial about having a fire. Now it is imperative in terms of rebalancing the equation. There is risk to the Basin. It is a different environment now. Add to the list is the question of monitoring requirements. Let's move that monitoring responsibility to someone else (not person doing the project). Disconnect them from the funding stream.



Mr. Crab – maintenance should be added also. Projects fail because of not being maintained.

Ms. Horne – the latest science on water quality - fine sediment is 75% from urban areas and 10% from the general forest. The water clarity is not in direct conflict with managing forest fuels. We need to generate real numbers, comprehensive of what this will cost to do and figure out how to pay for it.

Mr. Pena – your observation is critical. A finding we should make. A lot of things fit under that umbrella. Perception and reality. How to influence things. We would be done if we were competitive.

Steve Ward or Kennedy? – many of the costs are similar to the Plumas, El Dorado. The mechanical thinning costs are higher with the cut to length.

Mr. Pickett - proponents are required to design and implement monitoring. Give me a tool box, and we will go implement. I don't know how to design a study. Develop an operation handbook for working on stream slopes.

Mr. Pena – **Action item:** John Pickett can you write that up for a findings and recommendations?

Mr. Pickett – yes.

#### **Other Committee Assignments for Findings and Recommendations:**

- Monitoring – John Upton
- First entry work – Dennis Crab
- Economics - Pete Anderson
- **Action item:** Come up with a draft between now and the next meeting, circulate before meeting and review. Come into the January meeting with a really good draft.

Jim – we have heard a lot of additional information today; reflect on it, are there findings and recommendations you want to put forward across the board? **Action item:** Put something in draft form and let's share them electronically. We are starting to get into some results here. Next meeting we will have reports out of the air alliance, permit streamlining group, and a question and answer opportunity with the SEZ people. The rest of time we will refine findings and recommendations.

Ms. Horne – I recommend a visit from Zach Hymanson (TSC) to talk about the upcoming workshop.

#### **PUBLIC COMMENT:**

- Steve Kennedy – the Fire Commission report due in March will be delayed several months. There are concerns about public relations problems, property owners are confused, and there is a lack motivation for defensible space work. I have begun a video. Please ask Dana Cole to grant my request to present the Tahoe version of the Cannon Ball Express to the Fire Commission. The screen version is at [www.canonball.org](http://www.canonball.org). It will motivate people for fuel reduction in back yards and beyond. Support cogeneration. Reduce fuel loads. I would like to help you by encouraging citizen participation.
- Randy Challis – I am a firefighter that live here at the lake. I've grown up in a logging community. Now being in Tahoe I see it has its own issues. I've noticed being around logging, there are so many ways to get trees taken care of. It comes

down to cost. Need to make money. I was on the Lake Edison fire; it was similar to here with extreme grades and people who don't want trees cut down. No one wants to take care of the situation. We need to go in and make temporary roads, remove dead trees. Replanted trees are more natural to the environment. There is a different way of looking at these things. We need to make it to where sometimes rules don't need to be changed; emergency situations are worked out in a different way. After it's done, it needs to be kept up or you are back where you started, your kids will have to worry about it.

- Bob Harris – I am retired Forest Service and a part-time homeowner. The Basin climate for industry in the early 90s - we did a big salvage in Broakway. The contractor walked away. SEZs – I would challenge you in your discussion to keep in touch with people on the ground. People walk away when they can't figure it out. No matter how you spin concepts, if the people who control the permits don't have a common place to work from. The challenge of the committee is to test your recommendations with the people on the ground.

#### **DRAFT AGENDA TIMES FOR THE JANUARY 14 MEETING**

- Findings and recommendations from the air alliance.
- Permitting Improvement Working Group – come back with updates on findings 1-3.
- SEZs update and question and answer period.
- Presentation by Zach Hymanson on the fuels workshop.
- The rest of time will be spent on findings and recommendations – those groups with assignments will report back and their findings will be finalized in a discussion period.
- Next meetings - January 14, 15 at Sierra Nevada College.

Adjourned 5:11 p.m.